

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF EMERY COUNTY COMMISSIONERS
HELD IN THE EMERY COUNTY COURTHOUSE

FEBRUARY 16, 2016

Present at the meeting was Commission Chairman Keith Brady, Commissioner Ethan Migliori, Commissioner Paul Cowley, Attorney Mike Olsen, Deputy Clerk/Auditor Carol Cox, elected officials and citizens.

CONSENT AGENDA

(1)

APPROVAL OF CHECK EDIT LIST, REQUISITIONS AND DISPOSITIONS.

The Warrant Check Edit List #239440 through and including #239565 was presented for approval.

There were no Requisitions or Dispositions.

(2)

APPROVAL OF COMMISSION MEETING MINUTES DATED FEBRUARY 2, 2016.

(3)

APPROVAL OF SHAWN ALTON AS A RESERVE OFFICER AT THE SHERIFF'S OFFICE.

Commissioner Ethan Migliori made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Paul Cowley. The motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM THE CONSENT AGENDA.

Nothing was pulled for discussion.

Commissioner Ethan Migliori made a motion to leave the regular meeting and move into a public hearing to receive input regarding the mental health and substance use disorder treatment needs in Emery County and at the conclusion of the Public Hearing to return to the regular meeting. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(2)

PUBLIC HEARING: FOUR CORNERS COMMUNITY BEHAVIORAL HEALTH, INC. AND THE EMERY COUNTY COMMISSIONERS INVITE MEDICAID ENROLLEES AND OTHER COMMUNITY MEMBERS TO GIVE INPUT REGARDING THE MENTAL HEALTH AND SUBSTANCE USE DISORDER TREATMENT NEEDS IN EMERY COUNTY.

Karen Dolan, Four Corners Community Behavioral Health, Inc. explained that by state statute the Emery County Commission is responsible for mental health issues in Emery County. In 1972 Carbon, Emery, Grand and San Juan counties formed Four Corners Community Behavioral Health, Inc. San Juan County later dropped out in the early 80's. Medicaid requires a public hearing to get input from citizens, clients and families to be used in planning services and decision making during this next fiscal year. She added that they have seen 98 people in the tri county area in the past 6 months. They are working with the Sheriff's Department and Justice Courts to set up a plan for screening, to get those with low risk drug problems into treatment while screening to keep high risk criminals in jail. They are reaching for good screening and great treatment that is adequately funded. Jonathon Fauver, Therapist at Four Corners talked about the criminal and addiction aspect and the fact that Four Corners sees a lot of people who are able to turn their lives around.

Angela Bloom expressed her feelings regarding her long time addiction recovery process. She opted into the drug court program and graduated in May 2015. She indicated she has had one relapse but Four Corners supported her and helped her get her life back on track. She received classes and training to assist her in acclimation back into society.

Bret Guymon added that addiction is not something you can fix. An individual's success is not necessarily for a lifetime.

Jonathon Fauver, speaking about the long term recovery aspect described how he had surgery in his youth and became addicted to opiates. At around 30 years of age he made changes in his life and was encouraged to attend college and become a therapist. He added, this did not come over easily. It has been more than a 25 year journey. He expressed his desire to support and help others make a change.

The Public Hearing came to a conclusion. The Commissioners return to the regular meeting agenda.

(3)

DARIN PALMER/RYAN HATCH, ULGT, DISCUSSION OF INSURANCE AND UPDATE OF SERVICES.

Ryan Hatch provided a presentation and discussion regarding workers' compensation insurance. ULGT has been partnering with Emery County for WC for 20 years. In December of 2014 the Trust came before the Board of Commissioners to renew WC insurance for 2015. At that time the county stood to save 3% by going with another provider. The Trust encouraged you to stay with the them and hold on. 2011 was a high claim year and caused the EMOD to remain high at 1.09. The EMOD will go down when that year moves off the 4 year average. The EMOD for 2016 is projected to be around .80, which is below average. The Trust will bid for all lines of insurance in the bidding process at renewal time and encourage their competitor to do the same. He stated that today they have provided options and demonstrated the benefit to the county. He applauded the county for their alertness to safety.

(4)

OPEN SEALED BIDS FOR COMMERCIAL WATER HEATER FOR THE EMERY COUNTY JAIL WATER HEATER PROJECT 2016. CONSIDERATION AND APPROVAL OF BID AWARD AND CONTRACT.

Bids were opened for a 100 gallon commercial water heater for the Emery County Jail Water Heater Project 2016.

1)	Air Temp Heating and Cooling	\$44,831.00
2)	Dugmore Heating and Appliance	\$44,089.00

Commissioner Ethan Migliori made a motion to review the bids to determine the bid was as advertised then award the bid and enter into a contract with the lowest bidder for the project. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(5)

CONSIDERATION AND APPROVAL OF DISCOUNT AT THE EMERY COUNTY AQUATIC CENTER FOR ALL EMERY COUNTY EMPLOYEES.

Commissioner Migliori discussed and employee discount for the Emery County Aquatic Center. After much consideration it was determined that a 31% discount would work better than a flat discounted amount. The discount would be for the employee and dependents living within the home. Commissioner Ethan Migliori made a motion to approve a 31% discount across the board for all employees at the Emery County Aquatic Center. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(6)

CONSIDERATION AND APPROVAL OF OFFICIAL EMERY COUNTY
COMMENTS/RESPONSE TO PROPOSED UTAH REGIONAL HAZE STATE
IMPLEMENTATION PLAN REVISION (EPA HEARING).

Commissioner Paul Cowley made a motion to approve the official Emery County comment/response to proposed Utah Regional Haze State Implementation Plan Revision (EPA Hearing). The motion was seconded by Commissioner Ethan Migliori. The motion passed. Ray Petersen informed the public that they can make comment up until March 4, 2016.

(7)

CONSIDERATION AND APPROVAL OF 2016 EEO REPORTING AND AFFIRMATIVE
ACTION PLAN.

Commissioner Paul Cowley made a motion to approve of 2016 EEO Reporting and Affirmative Action Plan. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(8)

DISCUSSION AND POSSIBLE APPROVAL OF RIGHT-OF-WAY FROM PACIFICORP FOR
MOTORIZED TRAIL AT END OF DES BEE DOVE ROAD.

The Commissioners discussed a right-of-way from PacifiCorp for a motorized trail at the end of Des Bee Dove Road. Commissioner Migliori talked about liability immunity for the County and that there needs to be some type of agreement for maintenance. The reason the right-of-way needs to be signed is to procure funding from the State Trails Committee to develop the trail. Attorney Mike Olsen indicated that he has no problem with the right-of-way document. Commissioner Ethan Migliori made a motion to approve a Right-of-Way from PacifiCorp for a motorized trail at the end of Des Bee Dove Road, but not the use of the trail at this time. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(9)

RATIFY APPROVAL OF JUSTICE REINVESTMENT INITIATIVE GRANT APPLICATION.

Sheriff Funk explained that the Justice Reinvestment Initiative Program (JRI) is to support and stabilize the inmate from the time he/she is booked and housed in our facility until he/she is released, or until such time as additional treatment during incarceration is ordered by the judge. Bringing professionals on board to provide screening and assessment will help with initial diagnosis and stabilization of these individuals while incarcerated, and hopefully direct them to the proper resources as they transition into the general public. (as quoted by Captain Kyle Ekker's letter accompanying the grant application) The professionals paid through this grant will be Dr. John S. Montgomery as Supervisor and Dr. Lowell Morris, PA-C as provider for the Jail Risk and

Needs Screening Diagnosis and Assessment. The amount of the grant is \$43,464.00. Sheriff Funk added this program is a 6 month experiment. There 29 counties trying to come up with their own ideas for how to solve this growing problem. Attorney Mike Olsen added that he feels this is a good plan. Dr. Morris is already working with individuals at the jail so it is good to utilize his expertise and caring demeanor to work with these people. The grant application had a deadline that precluded this meeting so the application was signed and now needs to be ratified. Commissioner Ethan Migliori made a motion to ratify the signing of Justice Reinvestment Initiative Grant Application. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(10)

RATIFY AGREEMENT BETWEEN EMERY COUNTY AND JOHN S. MONTGOMERY, M.D. TO SUPERVISE EMERY COUNTY JAIL RISK AND NEEDS SCREENING DIAGNOSIS AND ASSESSMENT.

This agreement between Emery County and John S. Montgomery M.D. is a six month agreement to supervise Emery County Jail Risk and Needs Screening Diagnosis and Assessment. He will be supervising Lowell Morris, PA-C (provider) and work with the project director Captain Kyle Ekker from the ECSO. The signing of this agreement needs to be ratified due to meeting of deadlines associated with a grant. Commissioner Ethan Migliori made a motion to ratify the signing of an agreement between Emery County and John S. Montgomery M.D. to supervise Emery County Jail Risk and Needs Screening Diagnosis and Assessment. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(11)

RATIFY AGREEMENT BETWEEN EMERY COUNTY AND LOWELL MORRIS TO PERFORM EMERY COUNTY JAIL RISK AND NEEDS SCREENING DIAGNOSIS AND ASSESSMENT.

This agreement between Emery County and Lowell Morris, PA-C is a six month agreement to provide medical treatment for inmates being housed at the Emery County Jail under the Emery county Jail Risk and Needs Screening Diagnosis and Assessment. The signing of the needs to be ratified due to meeting deadlines associated with a grant. Commissioner Ethan Migliori made a motion to ratify the signing of an agreement between Emery County and Lowell Morris, PA-C to perform Emery County Jail Risk and Needs Screening Diagnosis and Assessment. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(12)

CONSIDERATION AND APPROVAL OF UTAH DEPARTMENT OF AGRICULTURE AND FOOD GRANT AGREEMENT FOR RUSSIAN OLIVE ERADICATION IN EMERY COUNTY.

This is a \$100,000.00 grant from Utah Department of Agriculture and Food to the Emery County Weed/Mosquito Department to be used to eradicate Russian Olive Trees along the San Rafael Drainage. Commissioner Paul Cowley made a motion to approve Utah Department of Agriculture and Food Grant for Russian Olive eradication in Emery County. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(13)

CONSIDERATION AND APPROVAL OF DONATION TO EMERY RODEO TEAM.

Commissioner Ethan Migliori made a motion to table this matter and invite a representative from the Emery Rodeo Team to attend the next meeting. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(14)

CONSIDERATION AND APPROVAL OF CELL PHONE STIPEND/REIMBURSEMENT FOR JUSTIN TRUMAN, ROAD DEPARTMENT.

Commissioner Paul Cowley made a motion to approve of cell phone stipend/reimbursement for Justin Truman. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(15)

CONSIDERATION AND APPROVAL OF APPOINTMENT OF ETHAN MIGLIORI TO THE EMERY COUNTY FIRE PROTECTION SPECIAL SERVICE DISTRICT.

Commissioner Paul Cowley made a motion to appoint Ethan Migliori to the Emery County Fire Protection Special Service District. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(16)

CONSIDERATION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN EMERY COUNTY AND UTAH OFFICE OF TOURISM TO PARTICIPATE IN PUBLIC/PRIVATE PARTNERSHIP PROGRAM KNOWN AS THE UTAH CAFETERIA MARKETING PROGRAM.

Travel Council Director presented an MOU between Emery County and Utah Office of Tourism to participate in public/private partnership program known as the Utah Cafeteria Marketing

Program. She explained that one of the objectives of the program is to aid rural Utah in their economic development efforts by improving the visitor experience, leading to more spending and tax revenues which may include: Enhancing the recreation and support service infrastructure in emerging, rural tourism destinations, support services, capacity and to extend busy season for developed gateway communities. The program offers \$24,500.00 which Emery County will match 50/50 to contract with Roger Brooks International and Main Street Now to complete the re-branding project. Commissioner Ethan Migliori made a motion to approve of an MOU between Emery County and Utah Office of Tourism to participate in public/private partnership program known as the Utah Cafeteria Marketing Program. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(17)

CONSIDERATION AND APPROVAL TO ACCEPT BUREAU OF LAND MANAGEMENT'S INVITATION TO BECOME A COOPERATING AGENCY FOR THE MASTER LEASING PLAN (MLP) IN THE SAN RAFAEL DESERT AREA. APPOINTMENT OF POINT OF CONTACT FOR EMERY COUNTY.

Ray Petersen explained that the Master Leasing Plan is a mechanism for completing additional planning, analysis, and decision making dealing with oil and gas leasing. The Richfield Field Offices intend to prepare Resource Management Plan amendments in a single Environment Assessment to consider oil and gas leasing on approximately 525,000 acres of public land in the San Rafael Desert, located in Emery County. The BLM Price and Richfield Field Offices are inviting Emery County to be a cooperating agency for the duration of the San Rafael Desert MLP/EA Process. Cooperating agency status provides the opportunity for us to work together and to enhance the BLM planning efforts. Commissioner Ethan Migliori made a motion to approve acceptance of BLM's invitation to become a cooperating agency for the Master Leasing Plan (MLP) in the San Rafael Desert Area and appoint Ray Petersen as point of contact and Public Lands Council Chairman and Commissioner on the Public Lands Council as alternate points of contact. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(18)

CONSIDERATION AND APPROVAL TO ACCEPT BUREAU OF LAND MANAGEMENT'S INVITATION OF CONSULTING PARTY STATUS FOR THE MONTICELLO/MOAB FIELD OFFICE DEVELOPMENT OF A CLASS 1 EXISTING INFORMATION INVENTORY AND THREE CLASS 11 PROBABILISTIC FIELD SURVEYS FROM SAN RAFAEL DESERT AND MOLEN REEF AREAS. APPOINTMENT OF POINT OF CONTACT FOR EMERY COUNTY.

Public Lands Director, Ray Petersen asked the Commission to table this matter to allow time to collect more information. Commissioner Paul Cowley made a motion to table this matter to find out more information. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(19)

CONSIDERATION AND APPROVAL OF REQUEST FOR DONATION TO WESTERN RANGELANDS CONSERVATION ASSOCIATION, INC.

Commissioner Ethan Migliori made a motion to table this item and ask that a representative of the organization attend a Commission Meeting to provide more information. The motion was seconded by Commissioner Paul Cowley. The motion passed.

(20)

DISCUSSION AND APPROVAL FOR PROCEDURES FOR FINAL TAX SALE.

Clerk/Auditor Brenda Tuttle presented the procedures for final tax sale. The administrative cost has been increased to cover the cost of advertising and notice mailings. This cost is added to the minimum bid. The deadline for redemption has been changed to 5:00pm the day before the sale. Title searches will begin on March 15, 2016. Commissioner Paul Cowley made a motion to approve of procedures for final tax sale as presented. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(21)

CONSIDERATION AND APPROVAL OF COOPERATIVE LAW ENFORCEMENT AGREEMENT AND EXHIBIT A 2016 ANNUAL OPERATING AND FINANCIAL PLAN BETWEEN EMERY COUNTY AND THE USDA FOREST SERVICE, MANTI-LASAL NATIONAL FOREST.

This is the standard Cooperative Law Enforcement Agreement and Operating and Financial Plan between Emery County and the USDA Forest Service, Manti-LaSal National Forest. The 2016 total annual operating plan is \$5,000.00. Commissioner Paul Cowley made a motion to approve of Cooperative law Enforcement Agreement and Exhibit A 2016 annual Operating and Financial Plan between Emery County and the USDA Forest Service, Manti-LaSal National Forest. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(22)

COMMISSION/ELECTED OFFICIALS REPORT.

Commissioner Brady invited Randy Johnson to provide an update of activity at the legislature. Mr. Johnson indicated that there 2 bills of concern at this time. The water restricting bill will probably be joined in the House and Senate. This is a sticky issue. He is watching it closely to see if anyone brings up any new concerns dealing with water issues. The water companies want to be able to control their resources. The biggest impact will be on the Wasatch Front where water sources are limited. They are still tinkering with the bill. Attorney Mike Olsen questioned whether there was a reason to support the bill? The other bill he his watching closely is the Goblin

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Valley State Park Expansion bill. Nothing has happened since it was defeated in the last session. There is a lot work that needs to be done to it before it can be reintroduced. Many feel the bill is not necessary. He will keep watching to see how it develops. Commissioner Brady indicated he received a call from Randy Anderson concerned about a bill regarding bees. They will keep watching this issue for any new developments. The Public Lands Initiative Bill will have a public hearing but he was not sure of the date yet.

Commissioner Migliori

Commissioner Migliori talked about the Department of Workforce Services' Rural Fastrack Grants.

Commissioner Cowley

Commissioner Cowley reported that the Senior Citizen Program will be getting a new bus this year.

Commissioner Brady

Commissioner Brady reported on Congressman Jason Chaffetz's visit to USU Eastern where he fielded questions regarding a variety of issues of importance to rural Utah citizens.

(23)

ADJOURNMENT

The meeting was adjourned.

ATTEST:_____ COMMISSIONER:_____